

substantively unconscionable and against public policy as communicated by the Texas Legislature in enacting the Texas Insurance Code. The recent opinion filed by the Insurer Defendants, Order on Motion to Compel Arbitration entered in *Corpus Christi Island Apartment Villas Management Group, LLC v. Underwriters at Lloyd's, London*; Case No. 2:19-cv-01888 (S.D. Tex. Oct. 28, 2019) (the “*Island Villas* opinion”), does not address or base its ruling on any factual or legal analysis regarding whether the specific arbitration provision at issue in the *Island Villas* opinion was unconscionable or in violation of public policy of the State of Texas, and therefore, null and void. Accordingly, the *Island Villas* opinion offers no substantive legal analysis or binding authority regarding the foregoing issues of the instant case.

In addition, as part of Bhandara’s Response, Bhandara asserts that the arbitration clause at issue in the instant suit does not apply to the Broker Defendants. By contrast, the *Island Villas* plaintiff never raised this issue for the trial court’s determination and ruling. Accordingly, the *Island Villas* opinion offers no substantive legal analysis or binding authority regarding the foregoing issue of the instant case.

Based on the above, the *Island Villas* opinion is not instructive nor dispositive of the issues raised in the instant case.

Respectfully submitted,

A handwritten signature in black ink, reading "Matthew R. Pearson". The signature is written in a cursive style with a horizontal line at the end.

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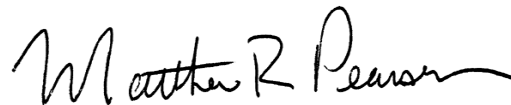
CERTIFICATE OF SERVICE

I certify that on January 8, 2020, a true and correct copy of the foregoing was forwarded to all other counsel of record, as listed below, through the electronic case filing system of the United States District Court for the Southern District of Texas:

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